

**UNITED STATES DISTRICT COURT
IN THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

MICHAEL TEDESCHI,

Plaintiff,

v.

CHEX SYSTEMS, INC.,

Defendant.

Case No.

Hon.

Removed from 96th District Court
Case No. 2017-158616

Michael Tedeschi
In Pro Per
207 Sidewinder St.
Gwinn, MI 49841
(906) 346-2661
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NOTICE OF REMOVAL FROM STATE COURT

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1441 and 1446, the above-captioned action, currently pending in the 96th District Court in the County of Marquette, in the State of Michigan, is hereby removed by Defendant Chex Systems, Inc. ("Defendant") to the United States District Court for the Western District of Michigan, Northern Division, by the filing of this Notice of Removal. As grounds for removal, Defendant states as follows:

1. On or about August 22, 2017, Plaintiff filed in the 96th District Court in the County of Marquette, State of Michigan, a case entitled *Michael Tedeschi v. Chex Systems, Inc.*, Case No. M17-0644-GC (the “State Court Action”).

2. Pursuant to 28 U.S.C. § 1446(a), a complete copy of all process and pleadings served and filed in the State Court Action is attached as **Exhibit 1**.

3. Defendant received a copy of Plaintiff’s Complaint on August 29, 2017.

4. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is timely because it is filed within 30 days after Defendant’s receipt of the Summons and Complaint.

5. This Court is the district and division “embracing the place where [the State Court] action is pending.” 28 U.S.C. § 1441(a). The 96th District Court in the County of Marquette, State of Michigan, is located in the Northern Division of the Western District of Michigan. *See* 28 U.S.C. § 102(b)(2).

6. Plaintiff’s four-count Complaint alleges violations of the Fair Credit Reporting Act (“FCRA”). (*See* Exhibit 1.) Claims that allege a violation of the FCRA present a federal question.

7. Pursuant to 28 U.S.C. § 1441(b), this action therefore arises under the “laws of the United States” and falls within this Court’s federal question jurisdiction.

8. Notwithstanding that the jurisdictional requirements have been met, nothing in this Notice of Removal should be construed as an admission that Plaintiff is entitled to any judgment in his favor.

9. Defendant has paid all filing fees as prescribed by the rules of this Court.

10. A Notice of Filing of Removal and a copy of this Notice of Removal from State Court will be filed with the 96th District Court in the County of Marquette, State of Michigan, as required by 28 U.S.C. § 1446(d). (*See Exhibit 2.*) Copies of the same will be served upon Plaintiff upon the filing of this Notice.

WHEREFORE, Defendant hereby removes the State Court Action from the 96th District Court for the County of Marquette, State of Michigan, to this Court, and requests that the Court take jurisdiction of this civil action to the exclusion of any further proceedings in the State court.

Dated: September 19, 2017

Respectfully submitted,

DICKINSON WRIGHT PLLC

By: /s/ KJ Miller
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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2017, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system. In addition, I served the foregoing paper upon Michael Tedeschi, 207 Sidewinder St., Gwinn, Michigan 49841 by enclosing said documents in a properly addressed envelope and depositing same in the United States Mail.

/s/KJ Miller

KJ Miller (P62014)

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